

Gov. Patrick J. Lucey
Introduction of Chief Justice Shirley Abrahamson
September 6, 2006

Governor Doyle, distinguished guests, ladies and gentlemen: I am very pleased to have this opportunity to participate in this great occasion. Thirty years ago, almost to the day, racial violence tore South Africa, a Romanian Gymnast named Nadia won three gold medals, and Israeli Commandos had just freed hostages held by hijackers. By contrast, there wasn't much news in the state of Wisconsin nor in Madison and as Governor that was fine with me, although I did have the ability (and the inclination) to stir things a bit.

On August 6, 1976, I held my usual Friday press conference, beginning it with an unusual announcement. Justice Horace Wilkie, a very old friend of mine, had passed away. There was a vacancy on the Supreme Court. I appointed an experienced lawyer, who taught at the University of Wisconsin Law School, while maintaining a very active private downtown practice, a person with a sterling reputation and record to fill the vacancy. She didn't just become the first woman to sit on the state's highest court. With her appointment on August 6, 1976 Shirley Abrahamson became the only woman then serving in the entire state judicial system.

Times have changed. Gender is rarely newsworthy any more, but quality and integrity matter just as much today as they did thirty years ago... Times have, indeed, changed, but there are constants. A governor – or, for that matter, a president – makes few decisions that become legacies. In this state, each governor hands to his successor the responsibility for maintaining a great university system and clean air and water and public land that people cherish. Those are tangible legacies, and history judges governors on their stewardship of those assets.

This state's judiciary, while not as tangible, is no less a legacy that requires stewardship and invites history's judgment. In my six and a half years as governor, I appointed many judges. I took the responsibility quite seriously--perhaps because without the benefit of a legal education, I wanted to make sure that I did the best job – that I did that job well, perhaps because as a businessman I understood the importance of fairness and impartiality when people took their disputes to the courts. (I may have taken the job too seriously because all three of my children wound up becoming lawyers.)

I was never shy about talent or intelligence, my own or anyone else's. I wanted the people who worked with me, on my staff and in my administration to be smarter than I was. With judges, I had an additional standard: independence. It has always struck me that this state, more than others, has valued independence in its public officials. Gaylord Nelson, Lee Dreyfus, Tommy Thompson, Russ Feingold and especially Bill Proxmire, whatever else they shared, they shared that attribute – conventional wisdom has not been their conventional path. In most places, the public expects judges to be independent. Here, we demand it. And the occasional effort to compromise that independence, in political campaigns, for example, has been rejected by the public.

I did not appoint the Chief Justice to the Supreme Court because of her gender. I appointed her because of her skill, her scholarship, and most of all her independence. Long before either of us held major public office, she and I worked together on open housing and civil rights. Neither of us, it is fair to say, pleased all of the people all of the time. Nor did we try. I also knew that it wouldn't do any good to appoint the first woman to the Supreme Court if she became the first woman defeated for re-election to the Supreme Court. I wanted independence, in other words, independence that would last. And it has.

She has won re-election by decisive margins in 1979, 1989 and 1999. I have seen no indication that she will not be a candidate again in 2009. It has been reported, by the way, that I once hesitated a second or two when Shirley asked me to endorse her in an early campaign more than

25 years ago. To ensure that that story doesn't repeat itself, let me here and now be among the first to endorse her re-election bid in 2009.

The Chief Justice has brought the message of judicial independence to every courthouse in the state. Next month, Marquette University will host a conference on the vitality of the Wisconsin constitution, a conference that wouldn't have even been imagined without the emphasis she and the Court have placed on the state constitution and federalism. In addition to all of the law review articles and honorary degrees, she has presided over small claims cases and spent evenings on patrol with police officers. She has found her opinions quoted and affirmed by the U.S. Supreme Court. She has taken the reputation of Wisconsin's judiciary for independence around the world.

I thought when I appointed her that she would be strong and independent. And I thought she would last. I thought that she would provide a legacy – not for me but for the state of Wisconsin, and she has. Thank you.